



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/272,922	03/19/1999	SCOTT A. LLOYD	JAIC.66141	6257
5251	7590	02/10/2005	EXAMINER	
SHOOK, HARDY & BACON LLP 2555 GRAND BLVD KANSAS CITY,, MO 64108			ANYA, CHARLES E	
			ART UNIT	PAPER NUMBER
			2126	
DATE MAILED: 02/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/272,922	Applicant(s) LLOYD ET AL.	
	Examiner Charles E Anya	Art Unit 2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 88-92,94-100,102-104,106 and 109 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 88-92,94-100,102-104,106 and 109 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 88-92,94-100,102-104,106 and 109 are pending in this application.

Claim Objections

2. Claim 108 is objected to because it is been cancelled, but is been included as a claim that depends on a cancelled claim 107 (see page 4).

For the purpose of this office action the Examiner would assume that claim 108 has been cancelled. Correction is required in the next response by the Applicant to clarify the status of claim 108.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 103,106 and 109 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

- a. The following phrases lack antecedent in basis:
 - i. "said tee-time transactions" – line 2 of claim 103 --.
 - ii. "said one or more internal golf course reservation systems" – line 2 of claim 106 --.
 - iii. "said tee-time requests" – lines 9 and 12 of claim 109 --.

5. For the purpose of this office action the Examiner would change the phrase "said tee-time transactions" to "tee-time transaction".
6. For the purpose of this office action the Examiner would change the phrase "said one or more internal golf course reservation systems" to "said plurality of individual golf course reservation systems".
7. For the purpose of this office action the Examiner would change the phrase "said tee-time requests" to "said one or more tee-time requests".

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 88-92,94-97,100-104,106 and 109 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,319,548 to Germain in view of U.S. Pat. No. 5,781,892 to Hunt et al.**

10. As to claim 109, Germain teaches Golf tee-time reservation apparatus for implementing seamless real time access to a plurality of individual golf course

Art Unit: 2126

reservation systems (figure 2 Col. 5 Ln. 9 – 41), said apparatus comprising: a plurality of user input modules distributed throughout a wide geographic area including at sites remote from one another (“...user interface...” Col. 2 Ln. 32 – 53, User Interface Module 60 Col. 7 Ln. 39 – 41), each user input module having an interface capable of receiving one or more tee-time requests (“...user selection...” Col. 2 Ln. 32 – 53, figure 6 Col. 11 Ln. 5 – 40); and an interface module having a data link with each of said user input modules for processing said one or more tee-time requests as real time transactions, said interface module having a data link connection with each of said plurality of individual golf course reservation systems and being arranged to interface with said plurality of individual golf course reservation systems to effect acceptance of each of said one or more tee-time requests at the golf course reservation systems to which said requests are directed (Communication Port 28 Col. 7 Ln. 5 – 21, Communication Port Control Module 66 Col. 7 Ln. 46 – 48).

11. Germain does not explicitly teach at least some of the plurality of individual golf course reservation systems as using different protocols.

12. Hunt teaches at least some of the plurality of individual golf course reservation systems as using different protocols (Gateway Application 22 Col. 3 Ln. 42 – 54, Col. 38 – 52).

13. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Germain and Hunt because the teaching of Hunt would improve the system of Germain by issuing requests and

Art Unit: 2126

receives datasets from computer reservation systems, processing the datasets, and normalizing the datasets (Col. 3 Ln. 41 – 45).

14. As to claim 88, Germain teaches the golf tee-time reservation apparatus of claim 109, wherein said user input module comprises a networked based interface (Col. 7 Ln. 5 – 21).

15. As to claim 89, Germain teaches the golf tee-time reservation apparatus of claim 88, wherein said networked based interface is the Internet (Col. 7 Ln. 5 – 8).

16. As to claim 90, Germain teaches the golf tee-time reservation apparatus of claim 109, wherein said user input module is a terminal that receives said one or more tee-time requests (Col. 2 Ln. 32 – 40).

17. As to claim 91, Germain teaches the golf tee-time reservation apparatus of claim 90, wherein said terminal comprises a graphical user interface (Col. 2 Ln. 32 – 40).

18. As to claim 92, Germain teaches the golf tee-time reservation apparatus of claim 90, wherein said terminal displays information to a user (Col. 2 Ln. 32 – 40).

Art Unit: 2126

19. As to claim 94, Hunt teaches the golf tee-time reservation apparatus of claim 109, wherein said interface module comprises one or more computer servers (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

20. As to claim 95, Hunt teaches the golf tee-time reservation apparatus of claim 94; wherein said one or more computer servers is a database server (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

21. As to claim 96, Hunt teaches the golf tee-time reservation apparatus of claim 95, wherein said database server provides information upon request (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

22. As to claim 97, Hunt teaches the golf tee-time reservation apparatus of claim 94, wherein said one or more computer servers is a system service application server (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

23. As to claim 100, Hunt teaches the golf tee-time reservation apparatus of claim 94, wherein said one or more computer servers is a network server (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

Art Unit: 2126

24. As to claim 102, Hunt teaches the golf tee-time reservation apparatus of claim 94, wherein said one or more computer servers is a customer server (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

25. As to claim 103, Hunt teaches the golf tee-time reservation apparatus of claim 102, wherein said customer server administers tee-time transactions by sending said tee-time transactions to said one or more computer servers (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

26. As to claim 104, Hunt teaches the golf tee-time reservation apparatus of claim 102, wherein said customer server comprises protocol translation software (Gateway Application 22/Server 14 Col. 3 Ln. 35 – 62).

27. As to claim 106, Germain teaches the golf tee-time reservation apparatus of claim 109, wherein said plurality of individual golf course reservation systems comprises individualized reservation software for coupling to said golf tee-time reservation apparatus (Communication Port 28 Col. 7 Ln. 5 – 21, Communication Port Control Module 66 Col. 7 Ln. 46 – 48).

28. Claims 98 and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,319,548 to Germain in view of U.S. Pat. No. 5,781,892 to Hunt

et al. as applied to claim 97 above, and further in view of U.S. Pat. No. 5,832,451 to Flake et al.

29. As to claim 98, Germain and Hunt are silent with reference to teaches the golf tee-time reservation apparatus of claim 97, wherein said system service application server comprises administrative tools for regulating system resources.

30. Flake teaches a reservation apparatus of claim 118, wherein said system service application server comprises administrative tools for regulating system resources (Administration Component 32 Col. 5 Ln. 41 – 44).

31. It would have been obvious to one of ordinary skill in the art at time the invention was made to combine the teachings of Flake, Germain and Hunt because the system of Flake would improve the system of Germain and Hunt by managing and functioning as secretarial support, local area network administration and telephone support (Col. 5 Ln. 40 – 43).

32. As to claim 99, although neither Germain, Hunt nor Flake teaches the golf tee-time reservation apparatus of claim 97, wherein said system service application server provides administrative reports one of ordinary skill in the art at the time of the invention would have known to implement the administration component 32 to include administrative reporting so that secretarial support, local area network administration and telephone support could be monitored or tracked.

Response to Arguments

33. Applicant's arguments filed 11/24/04 have been fully considered but they are not persuasive.

In the remarks Applicant argued in substance that (1) the Germain prior art reference is distinct from the present invention because its tee-time reservation on the golf courses are made as part of a common system and have the same protocol; (2) the Hunt prior art reference differs from the present invention because all its user input terminals are at a single location rather than being distributed throughout a wide geographical area; and (3) the Hunt prior art reference is cost prohibitive.

Examiner respectively traverses the remarks:

A. As to point (1) although Germain does not explicitly teach having different protocols it does not disclose using same protocol to make tee-time reservation as the remarks alleges. The Germain prior art reference teaches away from using same protocol by being a distributed that allows tee-time reservation to be made on different golf course systems from remote user input terminals (Col. 2 Ln. 32 – 37, Col. 7 Ln. 5 – 21). It is also noteworthy to say that the remote user input terminals could be remote from each other (Col. 7 Ln. 5 – 21).

B. As to point (2) although Hunt prior art reference is a distributed system is not used here to show whether the user input terminals are remote from each other (Germain reference covers this limitation) rather is used to show that in a reservation system like the Germain prior art reservation system that different protocols could be implemented. To show the implementation of different protocols, the Hunt prior art

Art Unit: 2126

reference includes a gateway (Gateway Application 22). Microsoft press Computer Dictionary (2nd. Ed.) describes a gateway as a device used to connect **dissimilar** networks (networks using **different protocols**, so that information can be passed from one to other). It goes on to disclose that a gateway both transfers information and converts it to a form compatible with **the protocol used by the second network** for transport and delivery.

C. As to point (3), the claim language does not include this limitation and as such is not considered.

Conclusion

34. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2126

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2126

cea.



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100